

AMENDED IN ASSEMBLY APRIL 5, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2220

Introduced by Assembly Member Silva

February 18, 2010

~~An act to amend Section 4417 of the Welfare and Institutions Code, relating to developmental disabilities.~~ *An act to amend Section 6252 of the Government Code, relating to regional centers.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2220, as amended, Silva. ~~State Department of Developmental Services.~~ *Regional centers: public records.*

Under existing law, the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services contracts with regional centers to provide support and services to individuals with developmental disabilities.

Existing law, the California Public Records Act, requires state and local agencies to make their records available for public inspection and to make copies available upon request and payment of a fee unless the records are otherwise exempt from disclosure by state or federal law.

This bill would expressly subject regional centers to the California Public Records Act, unless the records are otherwise exempt, by including regional centers in the definition of local agencies for the purposes of the act.

~~Existing law establishes the State Department of Developmental Services and sets forth the duties of the department and activities in which the department may engage.~~

~~This bill would make nonsubstantive, technical changes to those provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 6252 of the Government Code is amended*
2 *to read:*

3 6252. As used in this chapter:

4 (a) “Local agency” includes a county; city, whether general law
5 or chartered; city and county; school district; municipal
6 corporation; district; political subdivision; or any board,
7 commission or agency thereof; other local public agency; or entities
8 that are legislative bodies of a local agency pursuant to subdivisions
9 (c) and (d) of Section 54952. *For the purposes of this chapter,*
10 *“local agency” also includes a regional center pursuant to the*
11 *Lanterman Developmental Disabilities Act (Division 4.5*
12 *(commencing with Section 4500) of the Welfare and Institutions*
13 *Code).*

14 (b) “Member of the public” means any person, except a member,
15 agent, officer, or employee of a federal, state, or local agency
16 acting within the scope of his or her membership, agency, office,
17 or employment.

18 (c) “Person” includes any natural person, corporation,
19 partnership, limited liability company, firm, or association.

20 (d) “Public agency” means any state or local agency.

21 (e) “Public records” includes any writing containing information
22 relating to the conduct of the public’s business prepared, owned,
23 used, or retained by any state or local agency regardless of physical
24 form or characteristics. “Public records” in the custody of, or
25 maintained by, the Governor’s office means any writing prepared
26 on or after January 6, 1975.

27 (f) “State agency” means every state office, officer, department,
28 division, bureau, board, and commission or other state body or
29 agency, except those agencies provided for in Article IV (except
30 Section 20 thereof) or Article VI of the California Constitution.

31 (g) “Writing” means any handwriting, typewriting, printing,
32 photostating, photographing, photocopying, transmitting by
33 electronic mail or facsimile, and every other means of recording

1 upon any tangible thing any form of communication or
2 representation, including letters, words, pictures, sounds, or
3 symbols, or combinations thereof, and any record thereby created,
4 regardless of the manner in which the record has been stored.

5 SECTION 1. ~~Section 4417 of the Welfare and Institutions Code~~
6 ~~is amended to read:~~

7 ~~4417. The State Department of Developmental Services may:~~

8 ~~(a) Disseminate educational information relating to the~~
9 ~~prevention, diagnosis, and treatment of mental retardation.~~

10 ~~(b) Upon request, advise any public officer, organization, or~~
11 ~~agency interested in the developmental disabilities of the people~~
12 ~~of the state.~~

13 ~~(c) Conduct educational and related work that will encourage~~
14 ~~the development of proper developmental disabilities facilities~~
15 ~~throughout the state.~~

16 ~~The department may organize, establish, and maintain~~
17 ~~community mental hygiene clinics for the prevention, early~~
18 ~~diagnosis, and treatment of mental retardation. These clinics may~~
19 ~~be maintained only for persons not requiring institutional care and~~
20 ~~who voluntarily seek the aid of the clinics. These clinics may be~~
21 ~~maintained at the locations in the communities of the state~~
22 ~~designated by the director, or at any institution under the~~
23 ~~jurisdiction of the department designated by the director.~~

24 ~~The department may establish rules and regulations necessary~~
25 ~~to carry this section. This section shall not authorize any form of~~
26 ~~compulsory medical or physical examination, treatment, or control~~
27 ~~of any person.~~